

IC 4-33-19

Chapter 19. License Control Division

IC 4-33-19-1

"Division"

Sec. 1. As used in this chapter, "division" means the license control division established by section 3 of this chapter.

As added by P.L.227-2007, SEC.47.

IC 4-33-19-2

"Licensed entity"

Sec. 2. As used in this chapter, "licensed entity" means a person holding:

- (1) a charity gaming license issued under IC 4-32.2;
- (2) a retail merchant's certificate issued under IC 6-2.5-8;
- (3) a tobacco sales certificate issued under IC 7.1-3-18.5; or
- (4) an alcoholic beverage permit issued under IC 7.1-3.

As added by P.L.227-2007, SEC.47.

IC 4-33-19-3

License control division established

Sec. 3. The license control division is established to conduct administrative enforcement actions against licensed entities engaged in unlawful gambling.

As added by P.L.227-2007, SEC.47.

IC 4-33-19-4

Authorized personnel

Sec. 4. The commission shall hire an administrative law judge, attorneys, and other personnel necessary to carry out the division's duties under this chapter.

As added by P.L.227-2007, SEC.47.

IC 4-33-19-5

Division duties under charity gaming laws

Sec. 5. The division shall carry out the commission's duties under IC 4-32.2-8 and IC 4-32.2-9 with respect to any person that is:

- (1) licensed under IC 4-32.2; and
- (2) suspected of violating IC 35-45-5-3, IC 35-45-5-3.5, or IC 35-45-5-4.

As added by P.L.227-2007, SEC.47.

IC 4-33-19-6

Duty to conduct license revocation proceedings

Sec. 6. The division shall, on behalf of the department of state revenue or the alcohol and tobacco commission, conduct a license revocation action against a licensed entity for any revocation action authorized by any of the following statutes:

- (1) IC 6-2.5-8-7(g).
- (2) IC 7.1-3-18.5-5(c).

(3) IC 7.1-3-23-2(b).

(4) IC 7.1-3-23-5 with respect to a violation of IC 35-45-5-3, IC 35-45-5-3.5, or IC 35-45-5-4.

As added by P.L.227-2007, SEC.47.

IC 4-33-19-7

Memorandum of understanding required

Sec. 7. (a) A memorandum of understanding between the commission and:

(1) the department of state revenue in the case of an action involving a person holding a retail merchant's certificate; or

(2) the alcohol and tobacco commission in the case of an action involving a person holding a tobacco sales certificate or an alcoholic beverage permit;

is required to authorize the division's actions under section 6 of this chapter.

(b) The agencies described in subsection (a) shall enter into the memorandum of understanding required by this section before January 1, 2008.

As added by P.L.227-2007, SEC.47.

IC 4-33-19-8

Memorandum of understanding terms

Sec. 8. (a) A memorandum of understanding required by section 7 of this chapter must describe the responsibilities of each participating agency in coordinating the agencies' administrative enforcement actions with respect to suspected violations of IC 35-45-5-3, IC 35-45-5-3.5, and IC 35-45-5-4.

(b) Each party to the memorandum of understanding required by section 7 of this chapter must agree to permit the license revocation actions subject to this chapter to be heard by an administrative law judge employed by the division.

(c) A memorandum of understanding required by section 7 of this chapter must set forth the administrative procedures applicable to each revocation action conducted under this chapter.

As added by P.L.227-2007, SEC.47.

IC 4-33-19-9

Information concerning suspected criminal activity

Sec. 9. The division may refer any information concerning suspected criminal activity discovered in carrying out the division's duties under this chapter to the prosecuting attorney of the county in which the suspected criminal activity occurred.

As added by P.L.227-2007, SEC.47.

IC 4-33-19-10

Gaming control officers assigned to assist the division

Sec. 10. The commission shall assign gaming control officers employed under IC 4-33-20 to assist the division in carrying out the duties of this chapter.

As added by P.L.227-2007, SEC.47.